

Sixth Appellate District

San Jose, California

TUESDAY, OCTOBER 14, 1997

(No minute approved orders.)

WEDNESDAY, OCTOBER 15, 1997

H015674 PEOPLE v. BRIGGS

The judgment is affirmed. (not published)  
(Wunderlich, J.; We concur: Premo, Acting P.J., Elia, J.)  
Filed October 15, 1997

H014664 PEOPLE v. VALDEZ

The judgment is affirmed. (partial publication)  
(Wunderlich, J.; We concur: Elia, Acting P.J., Mihara, J.)  
Filed October 15, 1997

H013854 PEOPLE vs. DODSON, et al.

The count 3 receiving stolen property conviction of defendant Jimmy Wayne Dodson is reversed. The finding that Dodson's prior Arkansas kidnapping conviction came within the provisions of section 667, subdivisions (b) through (i) and section 667, subdivision (a) is reversed. The one-year prior prison term section 667.5, subdivision (b) enhancement imposed for Dodson's Arkansas robbery conviction is stricken. The judgment as to both Dodson and Redbull is vacated and the matter is remanded to the trial court " 'to permit it to resentence defendant[s] with an accurate view of its powers.' [Citation.]" (People v. Metcalf, supra, 47 Cal. App. 4th at p. 251; see also People v. Hazelton, supra, 14 Cal. 4th at p. 108.). (not published)  
(Cottle, P.J.; We concur: Bamattre-Manoukian, J., Mihara, J.)  
Filed October 15, 1997

THURSDAY, OCTOBER 16, 1997

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Elia, Acting P.J.; Wunderlich, J., Mihara, J.; and R. W. Norvelle, Deputy Clerk.

H015978 PEOPLE v. BALDINI

Cause called and argued by Deanna Lamb appearing for appellant and by David D. Salmon, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

H016004 PEOPLE v. TALLEY

Cause called and argued by Lori Quick appearing for appellant and by Linda M. Murphy, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

Sixth Appellate District

San Jose, California

Thursday, October 16, 1997 (continued)

H016326 GUEVARA v. SUPERIOR COURT OF SANTA CLARA COUNTY; THE PEOPLE

Cause called and argued by Donald M. Kelly appearing for petitioner and by Juliet B. Haley, Deputy Attorney General, appearing for real party in interest. Cause ordered submitted.

H016678 PEOPLE v. SUPERIOR COURT OF SANTA CLARA COUNTY; ROBINSON, et al.

Cause called and argued by Greg Mangani, Deputy Attorney General, appearing for petitioner and by Gregory C. Paraskou, Deputy Public Defender appearing for Randy Lovitt appearing for real party in interest. Cause ordered submitted.

H015875 CROWDER v. ALLISON BAVARIAN, INC., et al.

Cause called and argued by Mary Simpson appearing for appellants and by Phillip Svalya appearing for respondent. Cause ordered submitted.

H016133 OLIVER v. PERDUE

Cause called and argued by Marily Lerner appearing for appellant, by respondent Lori Klein appearing in pro per and by Scott Kalkin appearing for respondents Perdue, et al. Cause ordered submitted. Court recesses until 1:30 p.m.

The Court reconvened at 1:30 p.m in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Cottle, P.J.; Cottle, P.J., Cottle, P.J.;

H016105 PEOPLE v. CARTER

Cause called and argued by John Macpherson appearing for appellant and by Thomas A. Brady, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

H015710 PEOPLE v. MORENO

Cause called and argued by Rita Swenor appearing for appellant and by David Salmon, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

H015988 PEOPLE v. MORENO

Cause called and argued by Rita Swenor appearing for appellant and by David Salmon, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

Court is adjourned.

Sixth Appellate District

San Jose, California

FRIDAY, OCTOBER 17, 1997

H015770 PEOPLE v. SOTO

The judgment is affirmed. (not published)  
(Elia, J.; We concur: Premo, Acting P.J., Wunderlich, J.)  
Filed October 17, 1997

H016240 PEOPLE v. POOLE

The judgment is affirmed. (not published)  
(Cottle, P.J.; We concur: Bamattre-Manoukian, J., Mihara, J.)  
Filed October 17, 1997

H016716 PEOPLE v. MERINDA P., A MINOR

The jurisdictional and dispositional orders are affirmed.  
(not published)  
(Cottle, P.J.; We concur: Bamattre-Manoukian, J., Mihara, J.)  
Filed October 17, 1997

H015375 REAL ESTATE CENTER OF SANTA CRUZ, INC. v. TRASK

By the Court\*:

Appellant's petition for rehearing is denied.  
Dated October 17, 1997 Premo, Acting P.J.

\*Before Elia, Acting P.J., Wunderlich, J., and Mihara, J.